

**ENTERED**

November 15, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

BRAZOS ELECTRIC POWER  
COOPERATIVE, INC.,

Debtor.<sup>1</sup>

Chapter 11

Case No. 21-30725 (DRJ)

BRAZOS ELECTRIC POWER  
COOPERATIVE, INC. AND OFFICIAL  
COMMITTEE OF UNSECURED  
CREDITORS,

Plaintiff / Intervenor-Plaintiff,

v.

ELECTRIC RELIABILITY COUNCIL OF  
TEXAS, INC.,

Defendant.

Adv. Proc. No. 21-03863 (DRJ)

**ORDER DENYING ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.'S  
EMERGENCY MOTION TO DISMISS**

[Relates to Dkt. No. 191]

Upon consideration of the *Emergency Motion to Dismiss* (the “Motion”) filed by the Electric Reliability Council of Texas, Inc. (“ERCOT”) and the *Joinder* to the Motion filed by the Defendant Intervenor, and the Debtor’s response to the Motion along with any other responses filed in connection with the Motion, and all arguments of counsel at the hearing on the Motion (the “Hearing”); the Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2) and that the

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<sup>1</sup> The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number is: Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor’s claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor’s address is 7616 Bagby Avenue, Waco, TX 76712.

Court may enter a final order consistent with Article III of the United States Constitution; and the Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and after due deliberation and for the reasons stated on the record at the Hearing, it is **HEREBY ORDERED THAT:**

1. The Motion is Denied.
2. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

**Signed: November 15, 2021.**



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**DAVID R. JONES**  
**UNITED STATES BANKRUPTCY JUDGE**